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**TO: EXAMINER FLEMMING SAETHER  
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**FROM: Sender Name: Michael A. Rodriguez (Reg. No. 41,274)**

**Number of Pages INCLUDING This Cover Sheet : 8**

**DATE: December 29, 2004**

**RE: Response to non-final Office Action Dated September 30, 2004**

**Application Serial No.: 10/812,266**

**Attorney Docket No. EMC-012 (EMC-04-014)**

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DEC 29 2004

Atty. Docket No. EMC-012 (EMC-04-014)

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

APPLICANTS:	Silvestro et al.	CONFIRMATION NO.	2765
SERIAL NUMBER:	10/812,266	ART UNIT:	3677
FILING DATE:	March 29, 2004	EXAMINER:	Saether, Flemming
TITLE:	Fastener for Use in Securing Side Rails to Round-Hole and Square-Hole Mounting Rails of Cabinet Racks		

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, addressed to Examiner Saether at (703) 872-9306 on the date shown below:

Michael A. Rodriguez



Date: December 29, 2004

Assistant Commissioner for Patents  
Alexandria, VA 22313-1450

**Amendment and Response**

Sir:

This paper responds to the non-final Office Action mailed from the United States Patent and Trademark Office on September 30, 2004.

Claim Amendments begin on page 2; and.

Remarks begin on page 5.